

**SUMMARY OF FINAL DECISIONS ISSUED BY THE TRADEMARK TRIAL AND APPEAL BOARD**  
**June 3-7, 2002**

Date Issued	Type of Case(1)	Proceeding or Appn. No.	Party or Parties	TTAB Panel(2)	Issue	TTAB Decision	Opposer's or Petitioner's Mark and Goods or Services	Applicant's or Respondent's Mark and Goods or Services	Mark and Goods Cited by Examining Attorney	Examining Attorney	Citable as Precedent of TTAB
6-3	EX	75/318,325	Archambeau	Hohein* Wendel Holtzman	whether applicant's specimens show service mark use of applicant's mark in connection with its recited services	Refusal Affirmed		"HEALTHEMES" [providing health care information]		Gilbert	No
6-4	OPP	113,801 114,029	Viacom Int'l. Inc. v. Amy Schrier	Chapman* Wendel Drost	2(d)	Opposition Dismissed (in both cases)	"BLUE'S CLUES" [entertainment services in the nature of an on-going television series in the field of preschool animated/live action programs; note paper and loose leaf paper, informational magazines and books on the topics of television and entertainment, decals, <i>and a number of licensed products</i> ]	"BLUE" (two applications) [publications, namely, magazines and newsletters in the fields of adventure, travel, sports, and contemporary lifestyles <i>and</i> entertainment services in the nature of a series of television shows featuring sporting events, travel and adventure, and a series of educational programs featuring outdoor activities for broadcast and cable television; organizing and conducting sporting events]			No
6-4	EX	76/030,894	Worth Funding, Inc.	Walters Chapman Wendel*	2(d)	Refusal Affirmed		"WORTH FUNDING" [mortgage services, namely, banking, lending, and brokerage mortgage services]	"WORTH ONLINE" [computer services, namely, providing financial information via a global computer network]	Robinson	No

- (1) EX=Ex Parte Appeal; OPP=Opposition; CANC=Cancellation; CU=Concurrent Use; (SJ)=Summary Judgment; (MD)=Motion to Dismiss; (MR)=Motion to Reopen; (R)=Request for Reconsideration  
(2) \*=Opinion Writer; (D)=Dissenting Panel Member

**SUMMARY OF FINAL DECISIONS ISSUED BY THE TRADEMARK TRIAL AND APPEAL BOARD**  
**June 3-7, 2002 (continued)**

Date Issued	Type of Case(1)	Proceeding or Appn. No.	Party or Parties	TTAB Panel(2)	Issue	TTAB Decision	Opposer's or Petitioner's Mark and Goods or Services	Applicant's or Respondent's Mark and Goods or Services	Mark and Goods Cited by Examining Attorney	Examining Attorney	Citable as Precedent of TTAB
6-4	EX	75/894,767	eUniversity, Inc.	Cissel* Hanak Quinn	2(e)(1)	Refusal Affirmed		"EUNIVERSITY" [providing educational scholarships]		Saunders	No
6-4	EX	76/029,005	COFCO Credit Co., L.L.C.	Simms Cissel* Hohein	2(e)(1)	Refusal Reversed		"ROAD SEA AIR" [financial services, namely, financing of used motor vehicles, watercraft, aircraft, construction and other heavy equipment, and related goods purchased via global computer networks; computer services, namely, providing an on-line auction web site featuring used motor vehicles, watercraft, aircraft, construction and other heavy equipment, and related goods via global computer networks]		Mandir	No
6-4	EX	75/501,315	Software Architects, Inc.	Cissel* Chapman Bottorff	whether applicant's specimens show service mark use of applicant's mark in connection with its recited services	Refusal Affirmed		"SARK" [document data transfer and physical conversion services from one media to another]		Hayash	No
6-4	EX EX	75/879,291 75/879,294	Seiko Instruments Kabushiki Kaisha	Cissel Quinn* Hohein	2(e)(1)	Refusal Affirmed (in both cases)		"MINILOGIC" and "MINIANALOG" [both marks for a semiconductor, integrated circuit]		Goodman	No

(1) EX=Ex Parte Appeal; OPP=Opposition; CANC=Cancellation; CU=Concurrent Use; (SJ)=Summary Judgment; (MD)=Motion to Dismiss; (MR)=Motion to Reopen; (R)=Request for Reconsideration

(2) \*=Opinion Writer; (D)=Dissenting Panel Member

**SUMMARY OF FINAL DECISIONS ISSUED BY THE TRADEMARK TRIAL AND APPEAL BOARD**  
**June 3-7, 2002 (continued)**

Date Issued	Type of Case(1)	Proceeding or Appn. No.	Party or Parties	TTAB Panel(2)	Issue	TTAB Decision	Opposer's or Petitioner's Mark and Goods or Services	Applicant's or Respondent's Mark and Goods or Services	Mark and Goods Cited by Examining Attorney	Examining Attorney	Citable as Precedent of TTAB
6-4	EX	75/777,480	ALJO Optical Associates, Ltd.	Cissel* Wendel Bucher	2(e)(1)	Refusal Affirmed		"OPTICAL ON SITE" [optometric services, namely, providing optical examinations at retail locations and also to employees of other companies at those companies' locations]		Singleton	No
6-4	EX	75/762,919	Automated Securities Clearance, Ltd.	Cissel Quinn Chapman*	2(d)	Refusal Reversed		"UMA" [computer software for use by securities brokers and dealers and financial institutions in receiving, transmitting, executing, and managing trades involving stocks, bonds, currencies, debentures, mutual funds, futures, options, securities, and related instructional manuals]	"UMA" [investing the funds of others and investment management services]	Joyner	No
6-5	OPP	113,007	The Black Dog Tavern Co., Inc. v. the King Street Investment Co., L.L.C.	Simms Bottorff Drost*	opposer's standing to raise its pleaded grounds for opposition	Opposition Dismissed	"THE BLACK DOG" [restaurant and bakery shop services; printed matter, namely, catalogs published periodically featuring clothing, food, jewelry, toys and gift items] <i>and</i> a design mark consisting of a representation of a black dog [restaurant and bakery shop services]	"BLACK DOG COFFEE" [coffee]			No

(1) EX=Ex Parte Appeal; OPP=Opposition; CANC=Cancellation; CU=Concurrent Use; (SJ)=Summary Judgment; (MD)=Motion to Dismiss; (MR)=Motion to Reopen; (R)=Request for Reconsideration

(2) \*=Opinion Writer; (D)=Dissenting Panel Member

**SUMMARY OF FINAL DECISIONS ISSUED BY THE TRADEMARK TRIAL AND APPEAL BOARD**  
**June 3-7, 2002 (continued)**

Date Issued	Type of Case(1)	Proceeding or Appn. No.	Party or Parties	TTAB Panel(2)	Issue	TTAB Decision	Opposer's or Petitioner's Mark and Goods or Services	Applicant's or Respondent's Mark and Goods or Services	Mark and Goods Cited by Examining Attorney	Examining Attorney	Citable as Precedent of TTAB
6-5	CANC (R)	28,732	Rockline Industries, Inc. v. Dental Disposables Int'l., Inc.	Hohein* Hairston Bucher	2(d)	Request for Reconsideration Denied (Petition to Cancel Granted)	"FRESH'N UP" [pre-moistened wipes]	"FRESHEN UP" [pre-moistened dental patient wipes]			No
6-5	EX EX	75/414,435 75/421,016	Boulevard Entertainment, Inc.	Hairston Walters* Chapman	2(a) [immoral or scandalous matter]	Refusal Affirmed (in both cases)		"1-800-JACK-OFF" and "JACK OFF" [both marks for entertainment in the nature of adult-oriented conversations by telephone]		Sloan	No
6-6	EX	75/497,927	Magner Corp. of America	Hanak Chapman* Rogers	2(d)	Refusal Affirmed as to both cited registrations		"MAG II" (in stylized lettering) [coin sorters; coin counters and verifiers sold singly and in combination, used for discrimination and counting of coins; coin packagers; paper currency counters; currency recognition and validation units; currency scales; computers and software for recording and reporting financial transactions]	2 cited registrations, both owned by the same entity: "MAG" and "MAG" (and design) [both marks for vending machines and bill validators]	Regan	No
6-6	EX (R)	75/649,068	Atmel Corp.	Quinn* Walters Chapman	2(e)(1)	Request for Reconsideration Denied (Refusal Affirmed)		"SMARTRF" [semiconductor devices, computer programs to develop software applications using semiconductor devices, and software for evaluating semiconductor devices]		Blandu	No

- (1) EX=Ex Parte Appeal; OPP=Opposition; CANC=Cancellation; CU=Concurrent Use; (SJ)=Summary Judgment; (MD)=Motion to Dismiss; (MR)=Motion to Reopen; (R)=Request for Reconsideration  
(2) \*=Opinion Writer; (D)=Dissenting Panel Member

**SUMMARY OF FINAL DECISIONS ISSUED BY THE TRADEMARK TRIAL AND APPEAL BOARD**  
**June 3-7, 2002 (continued)**

Date Issued	Type of Case(1)	Proceeding or Appn. No.	Party or Parties	TTAB Panel(2)	Issue	TTAB Decision	Opposer's or Petitioner's Mark and Goods or Services	Applicant's or Respondent's Mark and Goods or Services	Mark and Goods Cited by Examining Attorney	Examining Attorney	Citable as Precedent of TTAB
6-6	EX	75/915,192	Kenneth A. Barton II	Simms Hairston Drost*	2(e)(1)	Refusal Affirmed		"PHASHIONS" [clothing, namely, athletic shirts, pants, slacks, shorts, jackets, and shoes]		Hella	No
6-6	EX	75/748,475	A A A Customer Services, LLC	Cissel* Hairston Rogers	2(e)(1) (genericness —whether mark is registrable on the Supp. Reg.)	Refusal Affirmed		"EXCLUSIVE BUYERS AGENTS" [real estate services]		Cross	No
6-7	EX	75/920,311	Peter Kaveh	Seeherman Hanak Drost*	2(d)	Refusal Affirmed		"SKY" [men's and women's clothing, namely, shirts, pants, shorts, skirts, t-shirts, dresses, jackets, and sweaters]	"SKY SKI" [clothing, namely, jackets, hats, gloves, and swimwear]	G. Lorenzo	No
6-7	EX	75/621,298	iLine, LLC	Hanak* Wendel Bucher	2(e)(1)	Refusal Reversed		"ILINE" [telecommunications services, namely, the international electronic transmission of voice and facsimile data over data lines using the global computer network]		Choe	No

(1) EX=Ex Parte Appeal; OPP=Opposition; CANC=Cancellation; CU=Concurrent Use; (SJ)=Summary Judgment; (MD)=Motion to Dismiss; (MR)=Motion to Reopen; (R)=Request for Reconsideration

(2) \*=Opinion Writer; (D)=Dissenting Panel Member